

CERTIFIED TRUE COPY
ATTEST: WILLIAM M. MCCOOL
Clerk, U.S. District Court
Western District of Washington



By [Signature]
Deputy Clerk

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDMOND JOSEPH MCNEAL,

Defendant/Judgment Debtor,

and

CAREER PATHS NW, LLC,

Garnishee.

MC 17-0287

(2:02-CR-0246-1)

Notice to Defendant/ Judgment
Debtor From Clerk, United States
District Court

TO: EDMOND JOSEPH MCNEAL:

You are hereby notified that a garnishment action is being taken by the United States of America, which has a Judgment from the U.S. District Court for the Western District of Washington, in *United States of America v. Edmond Joseph McNeal*, No. 2:02-CR-0246-1 (November 22, 2002), in the amount of \$72,456.00, consisting of \$71,556.00 in Restitution, and \$900.00 in a Special Assessment. A balance of \$65,336.00 remains outstanding as of March 10, 2017. In addition, you are hereby notified that there are exemptions under federal law which may protect some of your property from being taken by the Government, if you can show that the exemptions apply. Attached is a summary of the major exemptions, entitled

NOTICE TO DEFENDANT/JUDGMENT DEBTOR FROM
CLERK, UNITED STATES DISTRICT COURT

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
(206) 553-7970

1 "Claim for Exemption Form/Notice of Consumer Credit Protection Act Form," which may
2 apply to this action. A "Notice to Judgment Debtor on How to Claim Exemptions" also
3 accompanies this Notice. You, Edmond Joseph McNeal, have a right to ask the Court to return
4 your property to you if you believe the property the government is taking qualifies under one of
5 the exemptions listed in the attached exhibit. You also have the right to explain to the Court
6 that the United States is not in compliance with any statutory requirement for the issuance of
7 this garnishment, if that is your position. If you want a hearing, you must notify the Court
8 within **twenty (20) days** after receipt of this Notice. Your request must be in writing. If you
9 wish, you may use the attached "Request for Hearing Form" to request the hearing. To request
10 a hearing, you must do all of the following:
11

12
13 (1) Either mail your original request for hearing via First Class Mail, or deliver it in
14 person to the Clerk of the United States District Court for the Western District of Washington,
15 700 Stewart Street, Lobby Level, Seattle, WA 98101; and

16 (2) Either mail a copy of your request via First Class Mail, or deliver it in person to
17 Career Paths NW, LLC, Attn: Andre Taylor, 19109 36th Ave. SW, Suite 201, Lynnwood, WA
18 98036; and

19
20 (3) Either mail a copy of your request via First Class Mail, or deliver it in person to
21 the United States Attorney's Office for the Western District of Washington, Assistant United
22 States Attorney, Kyle Forsyth, Attn: Financial Litigation Unit, 700 Stewart Street, Suite 5220,
23 Seattle, WA 98101.

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**NOTICE TO DEFENDANT/JUDGMENT DEBTOR FROM
CLERK, UNITED STATES DISTRICT COURT**

UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
(206) 553-7970

1 The hearing, when appropriate, will take place within approximately five (5) days after
2 the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that
3 as possible, pursuant to 28 U.S.C. § 3202(b).

4 At the hearing, you may explain to the Court why you believe the property the
5 Government has or is taking is exempt. If you do not request a hearing within **twenty (20)**
6 **days** of the receipt of this Notice, your property may be seized and payment used toward the
7 money you owe the Government.
8

9 If you think you live outside the Federal Judicial District in which this Court is located,
10 you may request, not later than **twenty (20) days** after you receive this Notice, that this
11 proceeding to take your property be transferred by the Court to the Federal Judicial District in
12 which you reside. To make such a request, do all of the following:
13

14 (1) Make your request for a transfer in writing; and

15 (2) Either mail a copy of your request via First Class Mail, or deliver it in person to
16 the Clerk of the Court, 700 Stewart Street, Lobby Level, Seattle, WA 98101; and

17 (3) Either mail a copy of your request via First Class Mail, or deliver it in person to
18 Career Paths NW, LLC, Attn: Andre Taylor, 19109 36th Ave. SW, Suite 201, Lynnwood, WA
19 98036; and

20 (4) Either mail a copy of your request via First Class Mail, or deliver it in person to
21 the United States Attorney's Office for the Western District of Washington, Assistant United
22 States Attorney, Kyle Forsyth, Attn: Financial Litigation Unit, 700 Stewart Street, Suite 5220,
23 Seattle, WA 98101.
24

25 It is recommended that you keep a copy of this Notice for your own records. If you
26 have any questions about your rights or about this procedure, you should contact a lawyer, an
27
28

1 office of public legal assistance, or the Clerk of the Court. The Clerk is not permitted to give
2 legal advice, but may be able to refer you to other sources of information.
3

4 DATED this 18th day of April, 2017.

5 William M. McCool
6 CLERK, U.S. DISTRICT COURT

7 By: 
8 Deputy Clerk



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UNITED STATES ATTORNEY
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
(206) 553-7970

1 **REQUEST FOR HEARING FORM**

2 Court Number: _____

3 ☐ I am requesting a hearing because (please check applicable reason(s) below):

4
5 ☐ The property that the Government is taking is exempt. (See completed
6 attached Claim for Exemption Form)

7 and/or

8 ☐ The government has not complied with the statutory requirement for the
9 issuance of the Post-Judgment remedy.

10 Explain why:

11 _____
12 _____

13 ☐ Please give Notice of pleading requirements and/or for hearing to me by mail to
14 the address below:

15 Date: _____

Edmond Joseph McNeal, Defendant/Judgment

16 Debtor

17
18 Defendant/Judgment Debtor's Signature

19 Address:

20 _____
21 _____

22 Telephone Numbers:

23 () _____

24 Home No.

25 () _____

26 Cellular No.

27 () _____
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Federal law provides that certain property and wages cannot be taken, and these laws may be applicable. Such property is said to be exempted. The attached Claim for Exemption Form/Notice of Consumer Credit Protection Act Form lists the exemptions under federal law. **There is no exemption solely because you are having difficulty paying your debts.**

If the United States of America as creditor is asking that your wages be withheld, the method of computing the amount of wages which are exempt from garnishment by law is indicated on the Claim for Exemption Form / Notice of Consumer Credit Protection Act Form, which is attached. You do not need to file a claim to receive this exemption, but if you believe the wrong amount is being withheld, you may file a claim for exemption.

It may be helpful to you to seek the advice of an attorney in this matter.

1 **I. CLAIM FOR EXEMPTION FORM**
2 **(EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613))**

3 **II. NOTICE OF CONSUMER CREDIT PROTECTION ACT FORM**

4 NOTE: 18 U.S.C. § 3613(a), the federal statute governing liens arising from criminal
5 fines and restitution obligations, generally incorporates the exemptions available to
6 individual taxpayers under the Internal Revenue Service Code.

7 **I. I claim that the exemption(s) from enforcement checked below apply in this case:**

- 8 _____ 1. Wearing apparel and school books. --Such items of wearing apparel and
9 such school books as are necessary for the debtor or for members of his
10 _____ 2. Fuel, provisions, furniture, and personal effects. --So much of the fuel,
11 provisions, furniture, and personal effects in the debtor's household, and
12 of the arms for personal use, livestock, and poultry of the debtor, as does
13 _____ 3. Books and tools of a trade, business, or profession. --So many of the
14 books, and tools necessary for the trade, business, or profession of the
15 _____ 4. Unemployment benefits. --Any amount payable to an individual with
16 respect to his unemployment (including any portion thereof payable with
17 respect to dependents) under an unemployment compensation law of the
18 _____ 5. Undelivered mail. --Mail, addressed to any person, which has not been
19 delivered to the addressee.
20 _____ 6. Certain annuity and pension payments. --Annuity or pension payments
21 under the Railroad Retirement Act, benefits under the Railroad
22 Unemployment Insurance Act, special pension payments received by a
23 person whose name has been entered on the Army, Navy, Air Force, and
24 _____ 7. Workmen's Compensation. --Any amount payable with respect to
25 compensation (including any portion thereof payable with respect to
26 dependents) under a workmen's compensation law of the United States,
27 _____ 8. Judgments for support of minor children. --If the debtor is required by
28 judgment of a court of competent jurisdiction, entered prior to the date of
levy to contribute to the support of his minor children, so much of his

1 salary, wages, or other income as is necessary to comply with such
2 judgment.

3 9. Certain service-connected disability payments. --Any amount payable to
4 an individual as a service-connected [within the meaning of Section
5 101(16) of Title 38, United States Code] disability benefit under--(A)
6 Subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B)
7 Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38.

8 10. Assistance under Job Training Partnership Act. --Any amount payable to
9 a participant under the Job Training Partnership Act (29 U.S.C. 1501 et
10 seq.) from funds appropriated pursuant to such Act.

11 II. The Consumer Credit Protection Act, at 15 U.S.C. Section 1673(a), restricts, the
12 maximum part of the aggregate "disposable earnings" of an individual which
13 may be garnished. (The definition for disposable earnings is at 15 U.S.C.
14 Section 1672(b).) The aggregate earnings of an individual for any workweek
15 which is subject to garnishment may not exceed (1) 25% of his disposable
16 earnings for the week, or (2) the amount by which his disposable earnings for
17 that week exceed thirty times the Federal minimum hourly wage in effect at the
18 time the earnings are payable, whichever is less.

19 In the case of earnings for any pay period other than a week, the Secretary of
20 Labor should, by regulation, prescribe a multiple of the Federal minimum hourly
21 wage equivalent in effect to that set forth under number (2), above.

22 Please check "yes" below, if you believe this applies to your garnishment,
23 and explain why:

24 Yes _____

25 Why _____

26 _____

27 _____

28 The statements made herein are made and declared under penalty of perjury that they
are true and correct.

Defendant/Judgment Debtor Printed or Typed Name

Defendant/Judgment Debtor Signature

Date